

Approved at the March 21, 2002 meeting of the Panel

**Secretary of Health and Human Resources'
CHILD SUPPORT GUIDELINE REVIEW PANEL
730 East Broad Street – Management Services Unit
Richmond, Virginia 23219**



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Minutes

September 25, 2001 Meeting

The first meeting of the 2001-2002 Secretary's Child Support Guideline Review Panel was held on September 25, 2001 at 9:30am at the Capital Building, House Room #1. Mr. Joseph Crane, Chairman, called the meeting to order and noted that Mr. Bill Brownfield, Staff Director, would serve the Panel as Secretary.

All members were present for the meeting: Ms. Amy Atkinson; Ms. Cathy Burch; Ms. Ann Brakke Campfield; Mr. Maxie Cannon; Chairman Joseph Crane; Mr. Lawrence Diehl; Ms. Cynthia Ewing; Ms. Nechama Masliansky; Mr. Murray Steinberg; Ms. Stephanie Sulmer; Senator Frederick Quayle; Delegate Vivian Watts; Judge Patricia West, and Judge Ellen White.

The Chair provided an overview of the Panel's responsibilities as well as comments as to numerous, important child support issues such as custody, visitation, access, and types of enforcement of child support orders that do not fall under the Panels charge. He outlined the anticipated objectives for the first meeting. Mr. Brownfield provided advice on how Panel minutes would be recorded, as well as providing guidance on members' expense reimbursements.

Upon the Chair's recommendation, the Panel by unanimous consent agreed to submit by October 31, 2001, an Interim Report to the General Assembly and the Secretary of Health and Human Resources. With the statutory requirements of the October deadline, the Panel agreed to continue the review of the Guideline into 2002 in order to fully complete and fulfill its responsibilities.

Ms. Ewing moved that the following panel recommendations from the 1999 Child Support Guideline Report be part of the Interim Report to the 2002 General Assembly (Recommendation # 1(E)-page 2):

"Amend §20-108.2(c) to allow for self-employed persons a reduction in 'gross income' of half of the self-employment tax, allowing for parity with employed persons whose employer pays half of this tax."

Properly seconded and following discussion, the motion was unanimously adopted.

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Senator Quayle moved that, as amended by this Panel, the following recommendation from the 1999 Child Support Guideline Report be part of the Interim Report to the 2002 General Assembly, (Recommendation # V(H)-page 12) with modifying language that amends §20-108.2 (D):

“Except for good cause shown or the agreement of the parties, in addition to any other child support award made pursuant to this section, any child support order shall provide that the parents pay in proportion to their gross incomes, as used for the monthly support obligation, any reasonable and necessary uninsured medical or dental expenses which are in excess of the sum of \$100 for any calendar year for each child who is the subject of the award. For the purposes of this section, medical or dental expenses shall include but not be limited to eyeglasses, prescription medication, prosthesis, orthodontics, and mental health or developmental disabilities services, including but not limited to services provided by a social worker, psychologist, psychiatrist, counselor, or therapist.”

Properly seconded and following discussion, the motion was unanimously adopted.

Senator Quayle moved the Panel authorize a written public comment period beginning November 1, 2001 through March 1, 2002, and to host two public hearings, dates and locations of the hearings to be determined. Written comments are limited in length to five pages per Guideline issue and must address only Guideline issues. Properly seconded and following discussion, the motion was unanimously adopted.

At the request of the Chair, individual Panel members suggested issues they would like to see addressed by the Panel at future meetings. No action to approve or disapprove these issues was taken. The issues suggested were:

- Define child support. What should be included in the award? Need to be stated such that it is uniformly understood.
- “Concrete” rules as to when child support can and cannot be awarded.
- Review of the amount of the award. Is there really a need?
- Paternity establishment at the birth of each child.
- One standard guideline with all deviations used by court and DCSE
- Custodial parent accountability of child support awards
- Review and possible adjustment of child support award according to age of dependent
- Tax consequences in the guideline
- §20-108.2 (First Mortgage concept versus second family/relationship children)
- Minimum order (\$65) for “court-ordered” child support for unemployed NCP’s
- Review the three recommendations from the JLARC Report on The Cost of Raising Children.

Chairman Crane informed the panel members that a packet including draft minutes and a draft interim report will be distributed promptly. The next meeting date will be scheduled following contact with all panelists and public notice will be posted.

The meeting was adjourned at 3:15pm.

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Bill Brownfield, Staff Director & Secretary